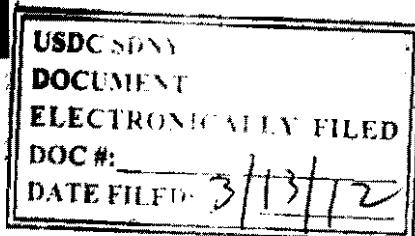


Saul Ewing



March 9, 2012

Deemed, with leave to re-agree,  
showing that the exhibit, at  
all points thereof, are "narrowly"  
tailored" and the "higher values"  
than progression are affected. AKH  
3-12-12

VIA EMAIL

Honorable Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1050  
New York, New York 10007

Re: In re September 11 Litigation, 21 MC 101 (AKH)  
Cantor Fitzgerald & Co., et al., 04 CV 7318 (AKH)

Dear Judge Hellerstein:

The undersigned counsel submits this letter on behalf of the Cantor Fitzgerald Plaintiffs ("Cantor").<sup>1</sup> Cantor's Amended Damages Disclosure Report, which we expect to file Monday or Tuesday next week, contains a confidential exhibit that needs to be filed under seal. That exhibit is:

- (a) Exhibit 1 – Schedule 1 to the March 24, 2011 Report of Gregory S. Thaler.

This exhibit, which was part of the Confidential Expert Report of Gregory S. Thaler, summarizes in chart form the adjustments made to Cantor's damages claim in response to the Court's direction, in its January 19, 2011 Order and Opinion, that Cantor "eliminate the impermissible aspect of its damages claim."

<sup>1</sup> The Cantor Fitzgerald Plaintiffs are Cantor Fitzgerald & Co., Cantor Fitzgerald Associates, L.P., Cantor Fitzgerald Brokerage, L.P., Cantor Fitzgerald Europe, Cantor Fitzgerald International, Cantor Fitzgerald Partners, Cantor Fitzgerald Securities, Cantor Fitzgerald L.P., Cantor Index Limited, CO2e.com, LLC, eSpeed, Inc., eSpeed Securities, Inc., eSpeed Government Securities, Inc., and Trademark, L.P.

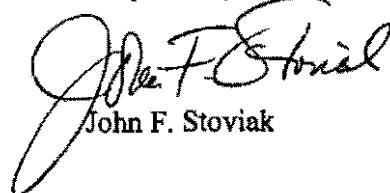
March 9, 2012  
Page 2

We respectfully request that you grant Cantor's application to file this confidential exhibit under seal.

If I can provide you with anymore information, please do not hesitate to contact me.

Thank you for your consideration.

\* Respectfully submitted,



John F. Stoviak

JFS/cls

cc: Desmond T. Barry, Esquire  
Roger E. Podesta, Esquire  
Richard A. Williamson, Esquire  
Sarah S. Normand, Esquire

Judge wrote:

“Denied, with leave to re-apply showing that the exhibit, and all parts thereof, are “narrowly tailored” and that “higher values” than suppression are affected. AKH Individual Rules 4A.

3-12-12

Alvin K. Hellerstein”